



Order Filed on August 2, 2022  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY**

**In Re:**

**RUDOLPH H. HENDEL and  
CATHERINE G. LIN-HENDEL,**

**Debtors.**

Case No.: 21-18847

Chapter: 11

Judge: John K. Sherwood

**ORDER RE: MOTION TO DISQUALIFY  
JUDGE SHERWOOD AND JUDGE ARLEO AND EXPUNGE ALL  
PAST ORDERS AND DECISIONS MADE BY THEM**

The relief set forth on the following pages, numbered two (2) through four (4), is ORDERED.

**DATED: August 2, 2022**

A handwritten signature in black ink, appearing to read "J K Sherwood", written over a horizontal line.

Honorable John K. Sherwood  
United States Bankruptcy Court

**WHEREAS:**

- A. On November 15, 2021, the *pro se* debtors, Rudolf H. Hendel and Catherine G. Lin-Hendel (the “Debtors”), filed for relief under Chapter 11 of the Bankruptcy Code [ECF No. 1].
- B. The Debtors own a single-family residence at 26 Ridge Road, Summit, New Jersey 07901 (the “Property”) [ECF 15].
- C. The Property is encumbered by: (i) a mortgage serviced by Fay Servicing for Wilmington Trust National Association, not in its individual capacity but solely as trustee for MFRA Trust 2014-2 (“Wilmington Trust”); and (ii) a mortgage serviced by Select Portfolio Services (“SPS”) for MEB Trust IV (“MEB”) [ECF No. 15 at 24].
- D. SPS/MEB and Wilmington Trust filed proofs of claim in the Debtors’ Bankruptcy Case [Claim 6-1 & Claim 10-1].
- E. On December 3, 2021, Wilmington Trust filed a Motion for In Rem Relief from the Automatic Stay with respect to the Property (“In Rem Motion”) [ECF No. 28].
- F. On April 6, 2022, the Debtors filed a motion seeking the court to order Wilmington Trust and SPS/MEB to issue honest and fair payoff quotes [ECF No. 52].
- G. On May 3, 2022, the Court held a hearing on the Debtors’ motion for honest and fair payoff quotes, confirmation, and the In Rem Motion. The Debtor’s motion was granted in part as set forth on the record. The other two matters were continued to June 14, 2022.
- H. On June 15, 2022, the Court entered an Order: (i) determining that Wilmington Trust is owed between \$1,559,989.01 and \$1,626,979.65 less certain credits for adequate protection payments; (ii) determining that MEB is owed \$537,512.21 less certain credits for adequate protection payments; and (iii) authorizing the Debtors to borrow \$2,165,491,86 from Advisors Mortgage Group, LLC to refinance their obligations to Wilmington Trust and MEB by a reverse mortgage transaction [ECF No. 77].
- I. On July 7, 2022, Debtors filed a motion for reconsideration of the Court’s Order dated June 15, 2022 (“Motion for Reconsideration”) [ECF No. 81].
- J. On July 19, 2022, the Court held a hearing on the Motion for Reconsideration, the In Rem Motion, and confirmation. The Court: (i) denied the Motion for Reconsideration, (ii) granted the In Rem Motion; and (iii) dismissed the bankruptcy case.
- K. On July 22, 2022, the Court entered an Order granting the In Rem Motion [ECF No. 85].

- L. On July 27, 2022, the Court entered an Order denying the Motion for Reconsideration [ECF. No. 87] as well as an Order dismissing the Debtors' bankruptcy case [ECF No. 88].
- M. On July 26, 2022, the Debtors filed a Motion to Disqualify Judge Sherwood and Judge Arleo from cases involving the Hendels and to expunge all past orders and decisions made by the two judges (the "Disqualification Motion") [ECF No. 89].

**IT IS ORDERED:**

1. Based on the dismissal of the Debtors' bankruptcy case, the Court lacks jurisdiction to rule on the Disqualification Motion. Thus, the Disqualification Motion is DENIED.
2. To the extent the Debtors disagree with this Court's decisions, they can seek appellate review of the Court's Orders: (i) granting the In Rem Motion; (ii) denying the Motion for Reconsideration; and (iii) dismissing the Debtors' bankruptcy case. Pursuant to Rule 8002 of the Federal Rules of Bankruptcy Procedure, there is a fourteen-day period after the entry of an order to timely file a notice of appeal with the bankruptcy clerk.
3. The hearing scheduled by the Court on the Disqualification Motion on August 16, 2022 [ECF No. 90] is cancelled.